IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No. 157 of 2001
with
CIVIL APPLICATION No. 5257 of 2001
&
APPEAL FROM ORDER No. 158 of 2001
with
CIVIL APPLICATION No. 5258 of 2001
&
APPEAL FROM ORDER No. 159 of 2001
with
CIVIL APPLICATION No. 5259 of 2001
&
APPEAL FROM ORDER No. 208 of 2001
with
CIVIL APPLICATION No. 6230 of 2001
&
APPEAL FROM ORDER No. 209 of 2001
with
CIVIL APPLICATION No. 6231 of 2001
&
APPEAL FROM ORDER No. 210 of 2001
with
CIVIL APPLICATION No. 6236 of 2001

For Approval and Signature: sd/-

Hon'ble MR.JUSTICE B.J.SHETHNA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

ARJANBHAI MALDEVBHAI KHUNTI

Versus

RAMDEVSINH ZILUBHA JADEJA

Appearance:
1. Appeal from Order No. 157 of 2001
NANAVATY ADVOCATES for Petitioner No. 1
MR DC SEJPAL for Respondents No. 1-2
NOTICE SERVED BY DS for Respondents No. 3-4,7-8
MR YOGESH S LAKHANI for Respondents No. 5-6

CORAM : MR.JUSTICE B.J.SHETHNA

Date of decision: 19/10/2001

ORAL COMMON JUDGEMENT

1. All these Appeals are disposed of by this common Judgment as they are arising out of the impugned common Judgment and order dated 20.3.2001 passed by the learned Civil Judge (SD), Gondal, below Ex.5 filed in Special Civil Suit Nos. 52,53 & 54 of 1999 and Ex.36 in Special Civil Suit No.52 and 54 of 1999 and Ex.49 in Special Civil Suit No.52 of 1999 and below Ex.34 in Special Civil Suit No.53 of 1999.

2. It was jointly requested by the learned Counsel for the parties that all these matters can be disposed of on the ground that Special Civil Suit No.47 of 1989 filed by the original defendants No.1 & 2 in the main Suit Nos.52, 53 and 54 of 1999 is at the verge of finalisation before the trial Court and the same is likely to be decided soon. Therefore the parties want to approach afresh before the learned trial Judge on outcome of the said Special Civil Suit No.47 of 1989.

3. Reserving this liberty all these matters are disposed of without going into the legality and validity of the impugned order passed by the learned trial Judge. As and when the parties approach the learned trial Judge afresh with the change circumstances, the learned trial Judge shall consider their application and decide the same in accordance with law.

sd/-
Date : October 19, 2001 (B.J.Shethna, J.)

sas